

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALLEGRA NETWORK LLC and ALLEGRA
HOLDINGS LLC,

Plaintiffs,

Case No. 11-13087

v.

Honorable Nancy G. Edmunds

J. MICHAEL CORMACK and SHERRIE L.
CORMACK,

Defendants.

_____ /

**OPINION AND ORDER ACCEPTING AND ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION [51]**

This matter comes before the Court on the magistrate judge's December 3, 2012 report and recommendation on Defendants' motion to dismiss and reservation of counterclaim. (Dkt. 51.) The magistrate judge recommended denying the motion. (*Id.*) The Court is fully advised in the premises and has reviewed the record and the pleadings. Defendants have not filed any objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at *1 (E.D.Mich. Aug. 24, 2012) (citation omitted). The Court therefore ACCEPTS and ADOPTS the Magistrate Judge's Report and Recommendation.

The Court therefore DENIES Defendants' motion to dismiss. (Dkt. 37.)

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: January 2, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 2, 2013, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager